

Remarks

Reconsideration and allowance of the subject patent application are respectfully requested.

Claim 8 has been amended to address the informality noted on page 2 of the office action and withdrawal of the objection to this claim is respectfully requested.

Claims 1, 7 and 9-16 were rejected under 35 U.S.C. Section 102(e) as allegedly being "anticipated" by O'Brien (U.S. Patent No. 6,587,831). While not acquiescing in this rejection, claims 1, 14 and 15 have been amended. As such, the discussion below makes reference to the amended claims.

The resource management system of claim 1 includes a work plan builder module that is configured to allow each worker to specify, for each of a plurality of different time periods during each of one or more workdays, one of a plurality of different activities that the worker plans to perform during that time period. An illustrative example display of a work plan builder module including this feature is shown in Figure 6. As described in the specification, this feature is advantageous because it provides workers a degree of autonomy in choosing what they want to do and when they want to do it. This feature also makes the workers the data source for work schedules and thereby takes advantage of the fact that the workers themselves are most likely to know what factors will affect their work schedules. The work plans entered by the workers can then be examined to determine if they will provide a desired service level for an expected workload. If necessary, the work plans may be modified to re-allocate resources.

O'Brien does not disclose a work plan builder module as specified in claim 1. O'Brien discloses a system and method in which a scheduling engine generates an optimal schedule within certain constraints by assigning employees to each shift in the schedule template. O'Brien

makes reference to "employee preferences" such as shift requests, leave requests, and shift swapping. However, there is no disclosure or suggestion in O'Brien of allowing workers to specify, for each of a plurality of different time periods during each of one or more workdays, one of a plurality of different activities that the worker plans to perform during that time period. Thus, for example, there is no disclosure in O'Brien of permitting a worker to specify different activities within a workday.

The portions of O'Brien referenced in the office action do not disclose (or even suggest) the claimed work plan builder module. In particular, Figure 2A simply shows the shift assignment (*e.g.*, 6:00 am to 10:00 am; 10:00 am to 2:00 pm; etc.) for each employee for a given schedule period. There is however no disclosure or suggestion therein of a worker being able to specify different activities within a particular one of these shift assignments. Figure 2B shows a single day schedule in which various employees are assigned to different shifts. However, this schedule is output by a scheduling engine which determines what each employee will do and when the employee will do it. There is no disclosure in Figure 2B of any particular activity in which the worker is engaged, nor is there is any disclosure or suggestion whatsoever of the worker specifying breaks or lunch or when these are desired to occur. Thus, O'Brien is fundamentally different than the resource management system of claim 1.

For at least these reasons, O'Brien cannot anticipate the resource management system of claim 1. Claims 7 and 9-13 depend from claim 1. These claims are believed to be allowable because of this dependency and because of the additional patentable features recited therein.

As for claim 14, this claim recites a method in which a work plan is received from each of a plurality of workers wherein the worker specifies, for each of a plurality of different time periods during each of one or more workdays, one of a plurality of different activities that the

worker plans to perform during that time period. For the reasons discussed above with respect to claim 1, O'Brien fails to disclose (or even suggest) the concept of a worker specifying different activities within a workday. Consequently, claim 14 and its dependent claims 15 and 16 cannot be anticipated by O'Brien.

Claims 2, 3 and 8 were rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over O'Brien. Applicants traverse this rejection. These claims depend from claim 1 and O'Brien is deficient with respect to claim 1 for the reasons stated above. Accordingly, for at least these reasons, O'Brien does not render claims 2, 3 and 8 obvious.

Claims 4-6 were rejected under 35 U.S.C. Section 103(a) as allegedly being "obvious" over O'Brien in view of the article "National Finance Center-Employee Personal Page Information." Applicants traverse this rejection. First, these claims depend from claim 1 and the article does not remedy the deficiencies of the O'Brien with respect to claim 1. Second, the article is in the context of providing a web site through which a person can access certain personal information. Applicants respectfully submit that such a web site would not have made it obvious to modify O'Brien as proposed in the office action. Accordingly, the proposed combination of O'Brien and the *National Finance* article would not have rendered claims 4-6 obvious.

New claims 17-46 have been added. The subject matter of these new claims is fully supported by the original disclosure and no new matter is added. Claim 17 depends from claim 1 and claim 18 depends from claim 14. These claims are believed to be allowable because of this dependency. In addition, these claims describe that a worker specifies activities for the time periods via an interface comprising cells arranged in rows and columns, each cell representing a

particular time period for a particular workday. No such interface is disclosed or suggested by O'Brien.

Claim 19 is directed to computer-readable storage having stored thereon a work plan builder module for enabling workers to build their own work plans for one or more workdays, the work plan builder module being configured to allow each worker to specify different activities to engage in during different time periods of the same workday. O'Brien does not, among other things, contain any disclosure whatsoever regarding a work plan builder module that is configured to allow each worker to specify different activities to engage in during different time periods of the same workday. As such, claim 16 and its dependent claims 17-42 are believed to patentably distinguish over O'Brien.

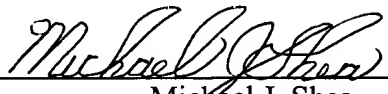
The method of managing resources of claim 43 involves receiving from each of one or more workers a work plan in which the worker specifies a first activity for a first time period during a workday and a second different activity for a second different time period during the same workday. No such feature is disclosed by O'Brien and thus claim 43 and its dependent claims 44-46 are believed to patentably distinguish over O'Brien.

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The pending claims are believed to be in condition for allowance and favorable office action is respectfully requested.

Respectfully submitted,

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